NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

BLACK BOX CORPORATION,

,

Plaintiff, : Civ. No. 07-6161 (GEB) (JJH)

v. : **ORDER**

AVAYA, INC.,

Defendant.

BROWN, Chief Judge

This matter comes before the Court upon the motion of defendant Avaya, Inc. ("Avaya") to dismiss the Amended Complaint and Jury Demand filed by plaintiff Black Box Corporation ("Black Box") (Docket No. 21); and for the reasons discussed in the memorandum opinion accompanying this order

IT IS THIS 29th day of August 2008 hereby

ORDERED that Avaya's motion to dismiss (Docket No. 21) is GRANTED in part and DENIED in part.

s/ Garrett E. Brown, Jr. GARRETT E. BROWN, JR., U.S.D.J.